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ORDINANCE NO. 1419

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED; BY GRANTING A SPECIFIC USE PERMIT FOR OPERATION OF A PRIVATE CLUB IN PLANNED DEVELOPMENT ZONING DISTRICT NO. 42, SAID PRIVATE CLUB TO BE OPERATED IN DESIGNATED AREAS WITHIN THE ATHLETIC FACILITY LOCATED ALONG THE WEST SIDE OF DALLAS PKWY. BETWEEN SPRING VALLEY ROAD AND ALPHA ROAD; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, and the State Law with reference to the granting of Specific Use Permits and changes of zoning under the Zoning Ordinance regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning uses should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch be, and the same is hereby amended by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use

Permit to operate a Private Club in Planned Development Zoning District No. 42. Said Private Club to be operated in the athletic facility located along the west side of Dallas Parkway between Spring Valley Road and Alpha Road, on the tract of land more specifically described as follows:

BEING a tract of land located in the City of Farmers Branch, Texas, being part of the Elisha Fyke Survey, Abstract 478, Dallas County, Texas, and being described more particularly as follows:

BEGINNING at a pipe on the west line of Dallas Parkway, 100.0 feet wide, at the northeast corner of Lot 2 of Alpha Way Addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Volume 75125, Page 1622 of the Deed Records of Dallas County, Texas, being 262.27 feet N. $00^{\circ} 15'$ W. from the northeast corner of the intersection cutoff from the widened north line of Alpha Road to the west line of Dallas Parkway;

THENCE N. $89^{\circ} 57'$ W., along the north line of said Lot 2, being the south line of the 10 acre tract conveyed to Clark and Smith by deed filed June 15, 1961 and recorded in the said Deed Records, a distance of 144.53 feet to a pipe at the southeast corner of the 5.08 acre Right-of-way, 100 feet wide, conveyed to Dallas Power & Light Company by deed recorded in Volume 4633, Page 308 of said Deed Records;

THENCE N. $17^{\circ} 01'$ W., along the northeasterly line of said Dallas Power & Light Company Right-of-Way, a distance of 1452.85 feet to a steel rod at southwest corner of the 199,789 sq. ft. tract conveyed to William W. Browning, Jr., by deed recorded in Volume 87244, Page 2154 of the said Deed Records;

THENCE East, along the South line of said Browning tract, a distance of 563.68 feet to a steel rod for corner on the west line of Dallas Parkway 672.09 feet S. $00^{\circ} 15'$ E. from its intersection with the South line of Spring Valley Road;

THENCE S. $00^{\circ} 15'$ E., along the west line of Dallas Parkway, being the west line of the 89,219 square feet conveyed to the County of Dallas by deed recorded in Volume 69069, Page 1339 of said Deed Records, a distance of 1389.39 feet to the Place of

Beginning and Containing 491,946 square feet of land, or 11.2935 acres, more or less.

SECTION 2. That the specific use permit is granted for the operation of a private club within the lower lounge, restaurant, swimming area and designated areas of the athletic facility only and that said lower lounge, restaurant, swimming area and designated area of the athletic facility are shown on the drawing labeled Exhibit "A", and that Exhibit "A" is attached to and made a part of this ordinance.

SECTION 3. That the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as amended herein by the granting of a Specific Use Permit for a Private Club in a Planned Development Zoning District No. 42 (PD-42) and operated under the conditions listed on Exhibit "B".

SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred (\$200.00) Dollars for each offense.

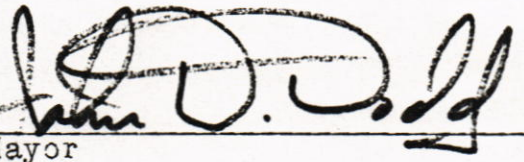
SECTION 5. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 6. Whereas, it appears that the above described property requires that it be given the Specific Use Permit in order to permit

its proper use and development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 18th day of April, 1983.

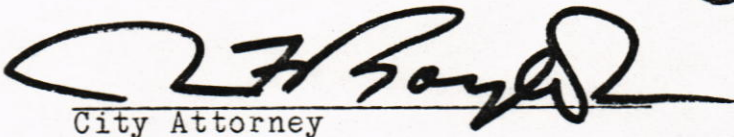
APPROVED:



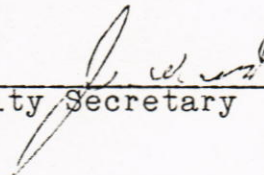
Mayor

APPROVED AS TO FORM:

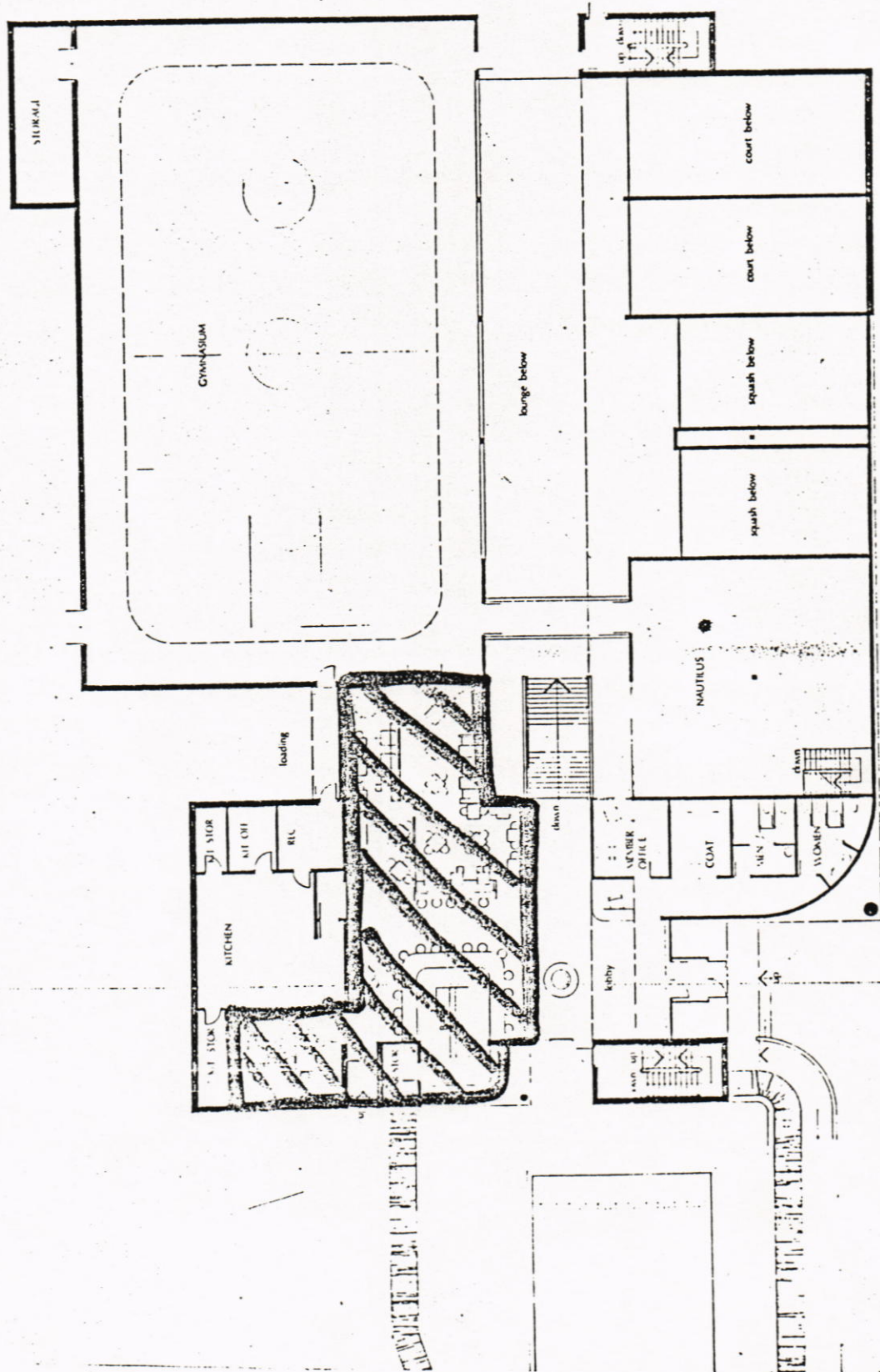
ATTEST:



City Attorney



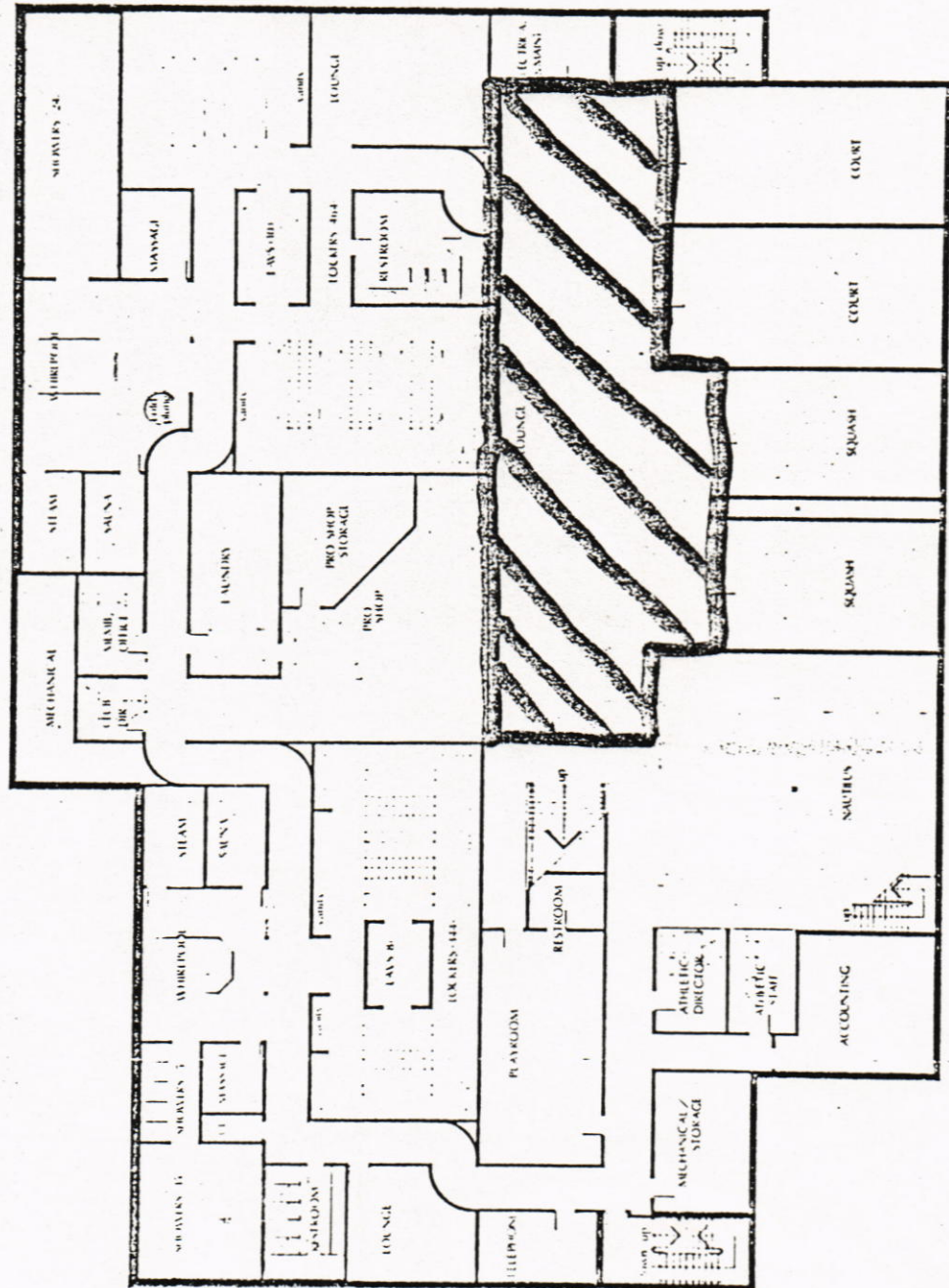
City Secretary



MAIN LEVEL →

C C S B

EXHIBIT "A"



LOWER LEVEL

C S B

EXHIBIT "A"

EXHIBIT "B"

CONDITIONS PERTAINING TO LAND USE AS A PRIVATE CLUB

1. The hours of operation: Monday through Friday, 10:00 a.m. to 11:00 p.m.; Saturday and Sunday, 10:00 a.m. to 10:00 p.m.
2. All alcoholic beverages be sold and served in compliance with all applicable State Law.
3. No person shall be eligible to be a member of the private club and no person shall be a member of the private club that does not possess a current and full membership in the athletic club. No person shall be required to be a member of the private club in order to be a member of the athletic club.
4. All membership applications shall provide for membership in the athletic club only if they so choose.
5. That promotions of the management of the private club, including alcoholic beverages dispensation will be complimentary.
6. That the alcoholic beverages will be served only in the following locations:
 - a. Restaurant servicing the private health club.
 - b. Swimming pool area.
 - c. Lounge area of the lower level.
7. That the food to beverage ratio be 60-40 percent, with at least 60% of the monthly gross sales of the private club being from the sale of food.

DESSERTS

New York Style Cheesecake	1.95
Carrot Cake	1.65
Chocolate Blackout Cake	2.25
Assorted Ice Creams and Sherbet	1.65
Grand Sundaes	2.25
Fresh Fruit-Seasonal Varieties	1.95

YOGURTS & FRUIT SHAKES

Yogurt Shakes	Frozen vanilla yogurt combined with honey and your choice of strawberries, peaches, or bananas	1.95
Hawaiian Supreme	Fresh pineapple, banana, coconut milk, honey and vanilla yogurt	2.25
Lemon Freeze	Lemon sherbet, fresh lemon juice, crushed ice and honey	1.95
Stawberry Sensation	A sensual drink combining frozen vanilla yogurt honey, fresh strawberries and stawberry sherbet	2.25

BEVERAGES

Fresh Orange & Grapefruit Juices	1.50
Natural Apple, Orange, Tomato, Coconut Pineapple, Pineapple, and Grapefruit Juices	1.50
Herbal Teas	.65
Coffee or Sanka	.65
Soft Drinks - Regular or Diet	.65
Perrier Water	1.50

LIBATIONS

The I.A.C. proudly pours only these premium brands: Smirnoff Silver Vodka, Tanquery Gin, Jack Daniels Sour Mash, Wild Turkey Bourbon, Jose Cuervo Gold Tequilla, Baccardi Silver Rum, Dewar's White Label, Chevas Regal Scotch and V.O.

Our House wines are the California Vineyards French Columbard, Burgandy and Rose.

Domestic Beer on tap: Miller Lite, Coors Light, Michelob Premium Bottled Beers, Heineken, Molson, Herman Josephs.

A 15% Gratuity will be added to all parties of 6 or more.

DINNER SPECIALTIES

Served after 6 p.m. and accompanied by your choice of spinach salad or soup of the day and the chef's accompaniments.

Fettucinni Alfredo	Homemade linguine is tossed with a sauce of fresh cream butter, and grated cheeses	6.95
Fettucinni Carbonaras	Homemade linguine, imported ham and mushrooms all mixed with fresh cream and grated cheese	7.95
Fettucinni Prime Verde	Homemade linguine tossed with a medley of fresh seasonal vegetables	7.95
New York Sirloin	Carefully aged New York sirloin is broiled to your order and accompanied by French fried onion rings	10.95
Fresh Fish of the Seasons	The finest and freshest fish of the season--presented in innovative and creative ways	Market
Breast of Chicken Florentine	Boneless breast of chicken filled with imported ham, fresh spinach and monterey cheese	7.95
Shrimp Scampi	Gulf prawns are sauteed in butter, garlic white wine and finished with a light Provencale sauce	8.95

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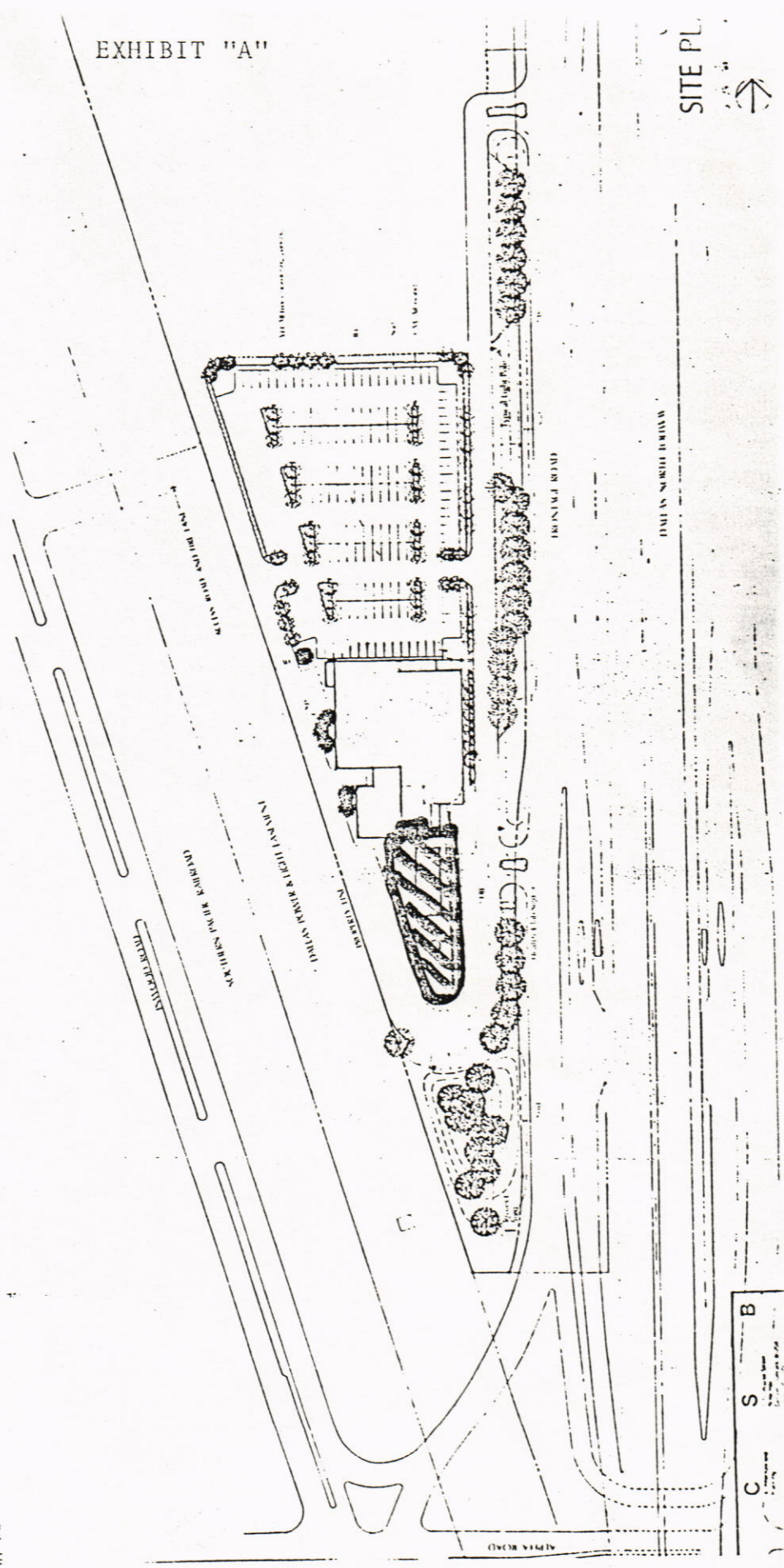
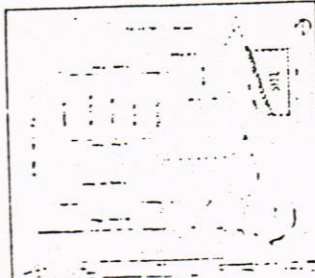


EXHIBIT "A"

B
 S
 C



ORDINANCE NO. 1625

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS; AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED; BY AMENDING THE SPECIFIC USE PERMIT THAT WAS GRANTED FOR OPERATION OF A PRIVATE CLUB IN PLANNED DEVELOPMENT ZONING DISTRICT NO. 42, SAID PRIVATE CLUB TO BE OPERATED IN DESIGNATED AREAS WITHIN THE ATHLETIC FACILITY LOCATED ALONG THE WEST SIDE OF DALLAS PARKWAY BETWEEN SPRING VALLEY ROAD AND ALPHA ROAD; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

Whereas, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, and the State Law with reference to the granting of Specific Use Permits and changes and amendments of zoning under the Zoning Ordinance regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said amendment in zoning uses should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch be, and the same is hereby amended by amending Ordinance 1419 of the City of Farmers Branch which granted a Specific Use Permit to operate a Private Club in Planned Development Zoning District No. 42. Said Private Club to be operated in the athletic facility located along the west side of Dallas Parkway between Spring Valley Road and Alpha Road, on the tract of land more specifically described as follows:

BEING a tract of land located in the City of Farmers Branch, Texas, being part of the Elisha Fyke Survey, Abstract 478, Dallas County, Texas, and being described more particularly as follows:

BEGINNING at a point on the west line of Dallas Parkway, 100.0 feet wide, at the northeast corner of Lot 2 of Alpha Way Addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Volume 75125, Page 1622 of the Deed Records of Dallas County, Texas, being 262.27 feet N. 00 deg. 15' W. from the northeast corner of the intersection cutoff from the widened north line of Alpha Road to the west line of Dallas Parkway;

THENCE N. 89 deg. 57' W., along the north line of said Lot 2, being the south line of the 10 acre tract conveyed to Clark and Smith by deed filed June 15, 1961 and recorded in the said Deed Records, a distance of 144.53 feet to a point at the southeast corner of the 5.08 acre Right-of-Way, 100 feet wide, conveyed to Dallas Power & Light Company by deed recorded in Volume 4633, Page 308 of said Deed Records;

THENCE N. 17 deg. 01' W., along the northeasterly line of said Dallas Power & Light Company Right-of-Way, a distance of 1452.85 feet to a steel rod at southwest corner of the 199,789 sq. ft. tract conveyed to William W. Browning, Jr., by deed recorded in Volume 87244, Page 2154 of the said Deed Records;

THENCE East, along the South line of said Browning tract, a distance of 563.68 feet to a steel rod for corner on the west line of Dallas Parkway 672.09 feet S. 00 deg. 15' E. from its intersection with the south line of Spring Valley Road;

THENCE S. 00 deg. 15' E., along the west line of Dallas Parkway, being the west line of the 89,219 square feet conveyed to the County of Dallas by deed recorded in Volume 69069, Page 1339 of said Deed Records, a distance of 1389.39 feet to the place of beginning and containing 491,946 sq. ft. of land, or 11.2935 acres, more or less.

SECTION 2. That the above described tract of land shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as previously amended by Ordinance 1419, and as amended herein by amending "exhibit B" labeled "Conditions pertaining to land use as a private club" by changing item 3 to read as follows:

3. No person shall be required to be a member of the athletic club in order to be a member of the private club.

SECTION 3. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction

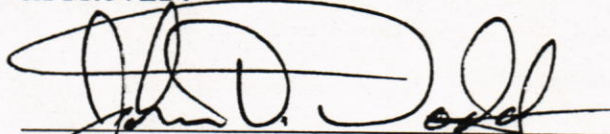
shall be punished by a fine not to exceed the sum of Two Hundred (\$200.00) dollars for each offense.

SECTION 4. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 5. Whereas, it appears that the above described property requires that it be given the Specific Use Permit in order to permit its proper use and development, and in order to protect the public interest, comfort and general welfare of the City of Farmers Branch, and creates an urgency and an emergency in the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 17th day of March, 1986.

APPROVED:



Mayor

APPROVED AS TO FORM:

ATTEST:

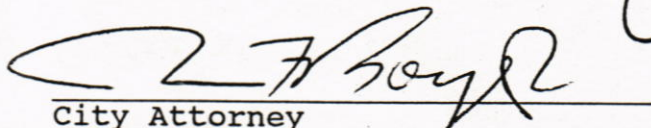
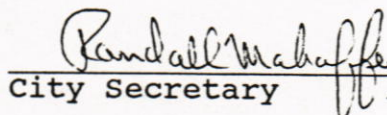

City Attorney
City Secretary

EXHIBIT "B"

Conditions pertaining to land use as a private club.

1. The hours of operation: Monday through Friday, 10:00 a.m. to 11:00 p.m.; Saturday and Sunday, 10:00 a.m. to 10:00 p.m.
2. All alcoholic beverages be sold and served in compliance with all applicable State Law.
3. No person shall be required to be a member of the athletic club in order to be a member of the private club.
4. Membership in the private club shall not be a requirement for membership in the athletic club.
5. Alcoholic beverages be served only in the following locations:
 - a. Restaurant servicing the private health club.
 - b. Swimming pool area.
 - c. Lounge area of the lower level.
6. That the food to beverage be 60-40 percent, with at least 60% of the monthly gross sales of the private club being from the sale of food.